# RACIAL JUSTICE TASK FORCE

**August 2, 2017**
**1:00 p.m. to 3:00 p.m.**
**30 Muir Road, ZA Room**
**Martinez**

**Agenda**

**Agenda Items:**

1. **1:00-1:05  Introductions**

2. **1:05-1:10 Approval of the Meeting Minutes (May, June, July)**

3. **1:10-1:15 Public Comment** on any item under the jurisdiction of the Task Force and not on this agenda.
   (*Speakers may be limited to three minutes*.)

4. **1:15-1:25-Community Engagement Workgroup Report Back**

5. **1:25-2:00 Presentation of Local Law Enforcement Data**

6. **2:00-2:15 Presentation of Promising and Emerging Practices**

7. **2:15-2:55 Discussion**

8. **2:55-3:00 Next Steps**

9. **Adjourn**

**For Additional Information Contact:**

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Reentry & Justice
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## Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

| | | | | |
|---|---|---|---|---|
| **AB** | Assembly Bill | | HIPAA | Health Insurance Portability and Accountability Act |
| ABAG | Association of Bay Area Governments | | HIV | Human Immunodeficiency Syndrome |
| ACA | Assembly Constitutional Amendment | | HOV | High Occupancy Vehicle |
| ADA | Americans with Disabilities Act of 1990 | | HR | Human Resources |
| AFSCME | American Federation of State County and Municipal Employees | | HUD | United States Department of Housing and Urban Development |
| AICP | American Institute of Certified Planners | | Inc. | Incorporated |
| AIDS | Acquired Immunodeficiency Syndrome | | IOC | Internal Operations Committee |
| ALUC | Airport Land Use Commission | | ISO | Industrial Safety Ordinance |
| AOD | Alcohol and Other Drugs | | JPA | Joint (exercise of) Powers Authority or Agreement |
| ARRA | American Recovery and Reinvestment Act | | Lamorinda | Lafayette-Moraga-Orinda Area |
| BAAQMD | Bay Area Air Quality Management District | | LAFCo | Local Agency Formation Commission |
| BART | Bay Area Rapid Transit District | | LLC | Limited Liability Company |
| BCDC | Bay Conservation & Development Commission | | LLP | Limited Liability Partnership |
| BGO | Better Government Ordinance | | Local 1 | Public Employees Union Local 1 |
| BOS | Board of Supervisors | | LVN | Licensed Vocational Nurse |
| CALTRANS | California Department of Transportation | | MAC | Municipal Advisory Council |
| CalWIN | California Works Information Network | | MBE | Minority Business Enterprise |
| CalWORKS | California Work Opportunity and Responsibility to Kids | | M.D. | Medical Doctor |
| | | | M.F.T. | Marriage and Family Therapist |
| CAER | Community Awareness Emergency Response | | MIS | Management Information System |
| CAO | County Administrative Officer or Office | | MOE | Maintenance of Effort |
| CCHP | Contra Costa Health Plan | | MOU | Memorandum of Understanding |
| CCTA | Contra Costa Transportation Authority | | MTC | Metropolitan Transportation Commission |
| CDBG | Community Development Block Grant | | NACo | National Association of Counties |
| CEQA | California Environmental Quality Act | | OB-GYN | Obstetrics and Gynecology |
| CIO | Chief Information Officer | | O.D. | Doctor of Optometry |
| COLA | Cost of living adjustment | | OES-EOC | Office of Emergency Services-Emergency Operations Center |
| ConFire | Contra Costa Consolidated Fire District | | | |
| CPA | Certified Public Accountant | | OSHA | Occupational Safety and Health Administration |
| CPI | Consumer Price Index | | Psy.D. | Doctor of Psychology |
| CSA | County Service Area | | RDA | Redevelopment Agency |
| CSAC | California State Association of Counties | | RFI | Request For Information |
| CTC | California Transportation Commission | | RFP | Request For Proposal |
| dba | doing business as | | RFQ | Request For Qualifications |
| EBMUD | East Bay Municipal Utility District | | RN | Registered Nurse |
| EIR | Environmental Impact Report | | SB | Senate Bill |
| EIS | Environmental Impact Statement | | SBE | Small Business Enterprise |
| EMCC | Emergency Medical Care Committee | | SWAT | Southwest Area Transportation Committee |
| EMS | Emergency Medical Services | | TRANSPAC | Transportation Partnership & Cooperation (Central) |
| EPSDT | State Early Periodic Screening, Diagnosis and treatment Program (Mental Health) | | TRANSPLAN | Transportation Planning Committee (East County) |
| | | | TRE or TTE | Trustee |
| et al. | et ali (and others) | | TWIC | Transportation, Water and Infrastructure Committee |
| FAA | Federal Aviation Administration | | UCC | Urban Counties Caucus |
| FEMA | Federal Emergency Management Agency | | VA | Department of Veterans Affairs |
| F&HS | Family and Human Services Committee | | vs. | versus (against) |
| First 5 | First Five Children and Families Commission (Proposition 10) | | WAN | Wide Area Network |
| | | | WBE | Women Business Enterprise |
| FTE | Full Time Equivalent | | WCCTAC | West Contra Costa Transportation Advisory Committee |
| FY | Fiscal Year | | | |
| GHAD | Geologic Hazard Abatement District | | | |
| GIS | Geographic Information System | | | |
| HCD | (State Dept of) Housing & Community Development | | | |
| HHS | Department of Health and Human Services | | | |

## Schedule of Upcoming Meetings

# Racial Justice Task Force Kickoff Meeting Minutes
## Racial Justice Task Force Members
## 5.3.17

| Member | In Attendance? |
|---|---|
| 1. Robin Lipetzky, Public Defender | Present |
| 2. Harlan Grossman, Government Alliance of Race & Equity (GARE) | Present |
| 3. Dennisha Marsh, First Five CCC, City of Pittsburg Community Advisory Council | Present |
| 4. Debra Mason, Mount Diablo Unified School District (MDUSD) | Present |
| 5. John Lowden, Contra Costa County Sheriff's Office | Present |
| 6. Dr. Christine Gerchow, Psychologist at Juvenile Hall Martinez | Present |
| 7. Stephanie Medley, RYSE & AB109 CAB | Present |
| 8. Magda Lopez, Director of Court Programs and Services | Present |
| 9. Marcus Walton, Director of Communications West Contra Costa Unified School District | Present |
| 10. Pastor Donnell Jones, Richmond Ceasefire | Present |
| 11. My Christian, Contra Costa Interfaith Supporting Community Organization (CCISCO) | Not present* |
| 12. Todd Billeci, Chief Probation Officer | Not present |
| 13. Tom Kensok, Assistant District Attorney | Not present |
| 14. Dr. William Walker, Health Services Director | Not present |
| 15. Bisa French, Assistant Chief at Richmond Police Department | Not present |
| 16. Edith Fajardo, Alliance of Californians for Community Empowerment (ACCE) Institute | Not present* |

*Indicates replacement may be needed

**Resource Development Associates**

- Roberta Chambers
- Mikaela Rabinowitz
- Ardavan Davaran
- Jasmine Laroche
- Kelechi Ubozoh

## Decisions made

- Re-visit and provide final approval April meeting minutes.
- RDA will organize the questions/comments made and determine what can be answered with what type of data (quantitative or qualitative).
- RDA will contact task force members and agencies to determine what data is available for analysis.
- At the next meeting, RDA will identify research questions, identify data sources, and feasibly of data collection and analysis.

- RDA will revisit discussion around mission, vision, and commitment at next meeting with task force members.

## Meeting Minutes

I.   Introductions
- RDA introduced the agenda and the project timeline.
- Meetings 4, 5, and 6 will incorporate identifying data that the task force believes is necessary.
- RDA and task force members introduced themselves to share the expertise in the room.

II.  Approval of Meeting Minutes
- Meeting minutes were approved with two corrections.

III. Public Comment
- Public encouraged task force to look into money bail reform.
- Public would like task force to consider mental health diagnoses and how that impacts youth that may enter the juvenile justice system.
- Public shared information about public monthly meetings hosted by the Juvenile Justice Commission.

IV.  Overview of Juvenile Justice Process Flow and Data
- RDA presented the juvenile justice process flow that was created in collaboration with the RJTF project team, along with publically available data to demonstrate racial disparities at each decision point.
- RDA explained that during this meeting there would not be a discussion or presentation of the adult system given the limited amount of time.
- RDA explained that the process flow presented does not highlight every small detail of the system and that the data presented is not exhaustive.
- RDA explained that the purpose of the presentation is to present the data that was found, have a discussion about what the task force wants to better understand, and then have a conversation about what data that was not available and not presented during the meeting.
- RDA explained that the goal is to develop a data collection plan and present findings from the data gathered to better understand what racial disparities exist within the local system.
- Task Force Questions/Comments:
  - There were no questions from the task force regarding the process for the day.

V.   Presentation of Juvenile Justice Process Flow and Data
- RDA presented data on 2013-14 school suspension and expulsion rates for the following school districts: Acalanes Union High, Antioch Unified, Liberty Union, Martinez Unified, Mt. Diablo Unified, Pittsburg Unified, San Ramon Valley Unified, and West Contra Costa Unified.

- RDA acknowledged that the task force is interested in school disparities, although this decision point is not a part of the juvenile justice system.
- Task Force Questions/Comments:
  - Do we have current data?
  - Do referrals to law enforcement include resource officers?
  - What constitutes a referral?
  - Want are the processes for referrals and which schools have resource officers?
  - The geographic areas of what these schools encompass would be good to know, how many high schools are in the district? How many school-aged kids attend public schools vs. private schools? Are there similar rates of police contact with public and private schools?
  - Also, may want to consider charter schools.
  - When investigating school resource officers, what accountability do they have, who hires them?
- RDA then presented data on juvenile arrests.
- Task Force Questions/Comments:
  - Was there data on detention that highlights what lead to an arrests?
- RDA presented data on referrals to court.
- Task Force Questions/Comments:
  - Task force member raised a point that it may be good to have a representative who is not a voting member to be present for subject matter expertise if the task force member cannot attend.
- RDA presented data on pre-adjudication detention.
- Task Force Questions/Comments:
  - One member stated that it would be helpful to see the difference by race for misdemeanor and felony cases.
- RDA then asked the task force members about what gaps are not shown in the data and what information they want to know.
- Task Force Questions/Comments:
  - Do we have information if the child is on drugs? Are they being arrested or sent to a rehabilitation center? Want to know qualitatively how the process works.
  - Do they have any discretion as to how they discern if something is a formal arrests? Does the practice of not formally filing an arrest exists? What discretion do different actors have on who gets diverted?
  - What level of filing occurs at the petition filed point? At the jurisdictional stage, it would be interesting to know the demographics of the kids have at hearing versus those that do not? Dispositional hearing, probation has a say at this point. Would be interesting to know the break down by race of probation recommendation and does the court follow them?
  - Also maybe want to know how probation makes its recommendation?

- o Would like to know the breakdown of Girls in Motion on how many kids get referred.
- o Would it be possible to find out what the charges are by race? Would be interesting to know the charges of what we have. Want to know if there is a disparity by race for charges filed.
- o What schools are not accepting AB166 credits and who this is affecting?
- o It may be interesting to know how other agencies are collecting data around this so we can learn from them. What type of data are they collecting and what is available? What is the system for tracking this information?
- o We may want to dig deeper into the Cite and Release section of the process flow.
- o It would be interesting to see how much discretion is used by law enforcement to decide an outcome (arrests or cited)?
- o SRO, could they have discretion?
- o It would be good to know what departments (such as police departments) are actually diverting youth.
- o What is the memorandum of understanding (MOU) of this school district? Do they want police officers to help with matters that are school matters? Curious to know what the MOUs look like? What are the protocols or formal processes for how an SRO gets involved?
- o Which schools have SRO program and what year was it implemented?
- Public Questions/Comment:
  - o Is there any more data available to look further into around school discipline?
  - o Curious to know about the timing of a suspension, when does it happen?
  - o Also want to know felony arrests by gender.
  - o Would like to know the types of crimes being committed.
  - o What are programs available for diversion by school district?
  - o Compare poverty rates by school district.
  - o It would be helpful to compare arrests by referrals.
  - o Would like to know what the rates are for repeat offenders versus first time offenders.
  - o It would be helpful to know the percent of students with learning disabilities that are in the system and what percent were diagnosed entering the system.

VI.  Conclusion and Next Steps
- RDA will organize the questions/comments made and determine what can be answered with what type of data (quantitative or qualitative).
- RDA will contact task force members and agencies to determine what data is available for analysis.
- At the next meeting, RDA will identify research questions, identify data sources, and feasibly of data collection and analysis.

- RDA will revisit discussion around mission, vision, and commitment at next meeting with task force members.
- Majority of task force members confirmed that they can meet the first Wednesday of every month at 1 pm.

# Racial Justice Task Force Kickoff Meeting Minutes
## Racial Justice Task Force Members
## 6.3.17

| Member | In Attendance? |
|---|---|
| 1. Robin Lipetzky, Public Defender | Present |
| 2. Harlan Grossman, Government Alliance of Race & Equity (GARE) | Present |
| 3. Dennisha Marsh, First Five CCC, City of Pittsburg Community Advisory Council | Present |
| 4. Debra Mason, Mount Diablo Unified School District (MDUSD) | Present |
| 5. John Lowden, Contra Costa County Sherriff's Office | Present |
| 6. Dr. Christine Gerchow, Psychologist at Juvenile Hall Martinez | Present |
| 7. Magda Lopez, Director of Court Programs and Services | Present |
| 8. Marcus Walton, Director of Communications West Contra Costa Unified School District | Present |
| 9. Todd Billeci, Chief Probation Officer | Present |
| 10. Tom Kensok, Assistant District Attorney | Present |
| 11. Dr. William Walker, Health Services Director | Present |
| 12. Bisa French, Assistant Chief at Richmond Police Department | Present |
| 13. Dr. Cardenas Shackelford, Coordinator Student Intervention and Support, Antioch Unified School District | Present |
| 14. Stephanie Medley, RYSE & AB109 CAB | Not present |
| 15. Pasto Donnell Jones, Richmond Ceasefire | Not present |
| 16. Edith Fajardo, Alliance of Californians for Community Empowerment (ACCE) Institute | Not present* |
| 17. **[RJTF Member Needed]** | |

*Indicates replacement may be needed

**Resource Development Associates**

- Roberta Chambers
- Mikaela Rabinowitz
- Ardavan Davaran
- Jasmine Laroche
- Kelechi Ubozoh

**Public Attendees**

- Rebecca Brown
- Tamisha Walker, Safe Return Project
- Kevin Corrigan, CAO
- Aundrea Tayln, MLK Freedom Center
- Ellen McDonnel, Public Defender's Office

## Decisions made

- RDA will make edits based on the feedback from the task force to the Mission, Vision, and Commitment document and the task force will vote on the document at a later date.
- RDA will speak with the project team on discussing the task force's proposed idea for engaging community members in the process.
- Task force members requested that RDA prioritize looking into arrest data further. RDA will present these findings at the next meeting.
- RDA will provide information regarding meeting place and time for all meetings this year.

## Meeting Notes

I.  Introductions
- RDA introduced review of April and May meeting minutes.
- Magda requested that there be a notation that she is a non-voting member. She also requested that her title be "Director of Family Programs and Probate Court Services."

II.  Approval of Meeting Minutes
- Task force did not make any comments on the April and May meeting minutes.
- April minutes approved with no abstentions.
- All task force members approved the May minutes with three abstentions from Tom Kensok, Todd Billeci, and Bisa French.

III.  Public Comment
- Public shared information about the Contra Costa County Lead Plus partnership.
- No other comments shared.

IV.  Review of Updated Mission, Vision, and Commitment Document.
- RDA introduced the mission, vision, and commitments document. RDA stated that the document was sent out in advanced and asked for any edits or comments.
- Harlan requested that the last black bullet be revised in the mission and vision document.
- Robin requested that we approve the content and wordsmith offline.
- Robin recommended taking out the clause "promote equal opportunities for all people" in the mission statement.
- Dennisha would like to add language about the educational system to be included in the mission statement.
- Tom stated that we can promote topics and discussions in which the education system is involved, but it is important to know that the county does not have jurisdiction over the schools.
- Dennisha believes that there is value to including the schools into the mission statement.
- Marcus disagrees that the schools are not involved in addressing this topic.
- Debra stated that she hears Dennisha and would like to create a plan or decision that can be shared with the school district.

- Tom sits on the school board in the evenings and is aware that schools are discussing this topic.
- Dennisha believes that the school boards are "white washing" this topic.
- Robin stated that the task force can consider the role school districts play with influencing the justice system and that the task force can make recommendations to the school districts though the county does not have the authority to enforce the recommendations.
- Others agreed with this statement.
- RDA asked the task force if they would like for edits to be made and for there to be a vote on the revised document at a later date.
- Task force agreed with this decision.

V.     Discussion on Community Engagement
- RDA transitioned the discussion around the current challenges with engaging the community, and asked the task force to provide input on how they think this challenge could be addressed.
- Stephanie asked for examples of how to engage community members.
- RDA provided two broad options: 1) meet at a later time in the evening or 2) host community events throughout the county to engage community input.
- Magda suggested making the meetings available online so that the public can provide comment live during meetings.
- Dennisha would like to have community meetings held throughout different cities in the county.
- Debra agreed with Dennisha's idea.
- Tom suggested that there be some form of publicity around these events so that members of the public are informed. He also suggested engaging the schools in the meetings by possibly hosting the events at the schools.
- Public Comment:
  - Public added that it is important to be clear around the intention of the meeting
- RDA explained that RDA will provide an update on this discussion after speaking with the project team to understand the feasibility of hosting community events.

VI.     Review of Preliminary Data Prioritization for the Juvenile Justice System
- RDA transitioned discussion on the data collection plan for the juvenile justice system.
- RDA explained that the document was organized by the questions raised during last month's review of the juvenile justice process flow. RDA first looked at decision points in the process flow and organized the table thematically and saw a theme of discretion/decision making and diversion alternatives. RDA organized the data around these themes. In addition, RDA organized the data around appropriate data sources. Finally, RDA noted the role of the county or the impact of the county at each decision point. RDA noted places where the county has influenced but not authority.
- The purpose of the document is to have a discussion around where the task force wants to prioritize efforts around data collection. RDA recommended that the task force focus

their attention on areas or decision points that the county has authority over when creating an action plan that will impact disparities.

- RDA emphasized that they are not aware of what data is and is not available. The action plan that the task force could design a data collection plan so that they can better identify where or what disparities exists.

- Magda provided a correction to the data matrix document. The county does not have authority over the disposition decision making process.

- Bisa provided a correction to the document—SROs do not suspend or expel students.

- RDA asked the task force if they would like for RDA to rethink the recommended data collection plan.

- Stephanie asked what this would look like. She shared her concern around not considering other systems that are involved in the system.

- RDA stated that it would be good to look at what school districts are referring students to probation.

- Todd explained that the disparity may be at the referral from the school. "If the referrals coming in are disproportionate and probation isn't exacerbating the problem, then what?" He explained that they have to be willing to look at what is going on at the front end and in the system.

- Dennisha-"Are you looking at data that is acted upon or data that is coming in?"

- RDA—"I think that is based on your recommendations? There were conversations around how people move through, how do people come into probation? What actions does the county agency make?"

- RDA asked if there were any objections to focusing on places where the county has authority as a starting point for the data collection process.

- Dr. Walker—"Do you know where you can get data from where the county has influence?"

- RDA – "We don't really know just yet. Some information may come through focus groups or review of documentation."

- Robin stated that the task force can still look at what judges are doing even though they can't tell them what to do. They can have influence and invite the bench around best practices.

- Tom stated that elected officials would also want to know these things.

- Robin stated that a decision point would be whether or not we are going to look at school policies and it sounds like you all [RDA]are recommending that we don't do that. I think this is a discussion we need to have.

- Debra—"It seems that we should get our head around when they get into the system, what is happening from there. It is a given when they get into the system where the disproportion happens. We can work backwards once we see why things are disproportionate in the system and maybe we can point to the fact the disparity is happening at the school level."

- John- "What is the baseline? How far back do we go?"
- Stephanie stated that at the school level it would be good to look at school arrests.
- Tom-"I think we can start at adjudication. Are we seeing difference at adjudication? Yes? Okay then look at petition filed. Do we see a difference there? Then go back to referrals. And just keep working back where there is palace where there isn't' a difference. If we work backwards we can see where disparities exists."
- Harlan-"I think it is important that disposition data is collected. How long is the juvenile a ward of the court? Those assigned to warship are assigned as far out as possible. It might be better practice to have the juvenile as wards… Secondly we really have to go back to referrals to law enforcement from the schools. It happens at intake. I don't think the DA makes a decision based upon race, I don't think judges make decisions based upon race. It really goes back to what is coming into the system and what occurs."
- RDA—"We want to make sure we have something developed that is feasible. Doing things incrementally may not allow for enough time. We may want to focus on an area given our time limit. Whether we start at one point or another."
- Tom—"I agree we should look at all data that is available. I think we also need to look at the steps. We need to look at all steps."
- Harlan—"I'm not suggesting we don't look at the DA office or the courts. You deal with what comes to you and you aren't focused on the demographics."
- Dr. Walker—"We aren't the first to look into this. Could we look at best practices that have had an impact and not start from scratch?"
- RDA—"There are a lot of jurisdictions that have done this, we can look into some examples. We can find ways this has been done. But our focus needs to be around what our focus will be."
- RDA also explained that there are established practices, but they aren't aligned with the process the task force is currently at. Part of what we want to do is identify where the disparities are and then identify the best practices. We need a starting point around where we can to focus…
- Marcus—"I don't want RDA to take this the wrong way. I have to give the data in a certain time period. School districts have data that is available. I have to ask why what kind of data is not available when the data is available. What is the goal of RDA? What do you all need from us? My question is what we are doing. The data is there. We are trying to make decision around what is important without the data. My question is what are we doing? What is the goal?"
- RDA—"We know that the data that has been asked is not available. What we need from you is what your priorities are. If we go to Todd and ask him to bring in data we need to ask the right questions."
- Marcus—"I can talk from schools that we can have the data today."
- Todd—"We can't easily pull data that is accurate all the time. We can't do real deep dives easily."

- Robin—"We aren't clear on what you are asking us."
- RDA—"This was a list of questions that you all asked and if you wanted to answer these questions here is where would need to go to answer those questions. We want your feedback on where you want us to focus."
- Robin—"We want to pull it out at law enforcement contact and not just referral to probation."
- Two task force members agreed with this statement.
- John—"At some point we have to establish questions on what data we want from each of these agencies, we have to narrow it down."
- RDA—"You adopt the county perspective as to who is referred to probation."
- John—"We have to know what agency is making contact with the juvenile. If you want to know what the street level person's contacts are then we have to go down to that level. We don't have Richmond's records."
- Robin—"It seems like we should start at law enforcement contact, I would like to take the broader perspective of looking at law enforcement across the county."
- Roberta-"So start at referral and arrests?
- All agreed with this.
- Public Comment:
  - Given that we have limited time, we are looking for a sweet spot given access and time. Probation only knows information on what kids have been said yes to enrolling in probation. Yes, it is true that law enforcement agencies are discrete, they have to provide info to the state. You can look at aggregated data that is disaggregated by agency. We don't have anything around the role of foster care children. You don't have anything around post-probation.
  - Carefully examine AB 420 around suspensions and expulsions.
  - Ground zero, there are some ground zero things that we should examine based upon existing laws.
- RDA—"Focus will be on referrals and arrests moving forward with the idea that we will be able to bring back data so that they can bring up conversations."
- Christine—"How will this decision influence the community's engagement?"
- RDA—"We need to have conversations with the project team. I don't think we will ask for input from the community around the data requests. We will move on the adult system."

VII.    Overview of Local Data Inventory and Adult Justice System Process Flow
- RDA introduced the adult justice system.
- Bisa asked a clarifying question about the year. RDA explained that the year of the day is from 2014.
- Public asked a clarifying question on Figure 7.
- Harlan asked a question surrounding the impact of Prop 47 on arrest type.
- Todd explained that the data that he sent is not of all on probation. Some are pending referrals, but it still paints the same picture

- RDA explained that there are few mandated data reporting requirements. Part of the next steps is to gather data that isn't readily available.
- Harlan—"Money bail situation, there has been the pretrial release system in the county. The validated risk assessment tool, may be heavily weighted on employment for example so it may impact someone's risk assessment."
- RDA—"Is this data that we have enough for you all? There is obviously a lot of data missing."
- RDA – "'If your goal is to come up with a plan, what are the things that you need to know to make reasonable recommendations?"
- John—"Who are blacks arrested by? Who is the arresting agency?"
- Dennisha—"I think we should start with the same point. Start with first contact the police."
- RDA—"What would you want to understand about that?"
- Dennisha—"Say a homeless person for example, are they taken into jail or taken to a service? If we figure out the first contact before they go to jail then we will know who is going to jail and who is going to other services."
- RDA—"Would it be helpful to hear what decisions police are considering or would you just be interested in straight numbers?"
- Bisa—"If we are talking about first contact, was it self-initiated or call for service? We would want to know that."
- Harlan—"It may be more important to get the data first and see what is says. If one agency is really off the charts disproportionate then we want to further inquire what is going on. Do a city level analysis?"
- Robin—"We want to know the local level population demographics. We also would want to know what training materials may exists within the agency. We already have a good roadmap for setting the adult data collection process since we have juveniles."
- Debra—"What are they being arrested for?"
- Todd—"I do believe it is important to know what is happening on the front end so that we have a better framing. We need the front end data in order to paint a full picture."
- RDA—"Is there anything else that you all have a deeper questions around?"
- Dr. Walker—"The most important thing is zip code. It is really important to have community and enforcement agency data and what those practices are."
- Bisa—"There is a lot of data that is missing. We aren't even talking about Central County where police are being called to areas where there are more people of color. When we are talking about alcohol and drugs."
- Tom—"What other resources or approaches are being used in communities? The Richmond PD has more discretion around what it brings to the DA's office compared to other agencies."

- Bisa—"Some misdemeanor cases may not come to the police office but rather the RYSE center. There is a diversion that has been created and that data is not captured. The Richmond PD does engage in diversion."
- Tom—"Maybe we want to know what internal diversion tactics are set up in different agencies? Richmond PD may make a decision to not send a case to the DA's offices because it's not worth filing while other agencies are sending to the DA and the DA is not filing."
- Harlan—"I've seen disproportionality around arrests. I think there is a difference between people who are arrested in the county. A potential flaw in the data."
- John—"The majority of felony arrests, burglaries, etc. are typically by people who are from Alameda County and not Contra Costa County. So the data could be flawed. I don't know if we dig deep to capture or that or do we accept it? There is going to be some level of people who are committing crimes that are not from the county."
- Public Comment
  - Pre-trial population—"Are these people under ICE? I also think we want to know average length of stay in pre-trial population. Also, different LEAs respond differently. I do think that it is important to investigate different polices of different LEAs."
- RDA—"Any additional feedback from task force?"

VIII.  Conclusion and Next Steps
- RDA will take all feedback and follow up with everyone.
- If the task force members have contacts in the police departments, RDA will need support with data collection efforts.
- RDA informed the task force that they have a list of where all of the meetings will be held for the rest of this year. More information for next year will be provided as soon as possible. Reminder to the task force that they want to make an actionable plan to have impact and see the change and evaluate how these recommendations is going.
- Edits to the mission and vision document will be needed in the next two weeks from task force members.
- Todd—"Will the next meeting be consistent?"
- RDA—"It will depend on what data we get from people."
- Todd—"The more time we have to collect data the better, the sooner the better."
- RDA—"This process concludes the process of thinking about what data we want and now we will gather the data that we have."

# Racial Justice Task Force Kickoff Meeting Minutes
## Racial Justice Task Force Members
## 7.5.17

| Member | In Attendance? |
|---|---|
| 1. Todd Billeci, Chief Probation Officer | Present |
| 2. Debra Mason, Mount Diablo Unified School District (MDUSD) | Present |
| 3. Robin Lipetzky, Public Defender | Present |
| 4. Dennisha Marsh,  First Five CCC, City of Pittsburg Community Advisory Council | Present |
| 5. Tom Kensok, Assistant District Attorney | Present |
| 6. Magda Lopez, Director of Court Programs and Services | Present |
| 7. Harlan Grossman, Government Alliance of Race & Equity (GARE) | Present |
| 8. John Lowden, Contra Costa County Sheriff's Office | Present |
| 9. Dr. Christine  Gerchow, Psychologist at Juvenile Hall Martinez | Present |
| 10. Tamisha Walker, Founder &  Director Safe Return Project | Present |
| 11. Stephanie Medley, RYSE & AB109 CAB | Not present |
| 12. Marcus Walton, Director of Communications West Contra Costa Unified School District | Not present |
| 13. Pastor Donnell Jones, Richmond Ceasefire | Not present |
| 14. Dr. William Walker, Health Services Director | Not present |
| 15. Bisa French, Assistant Chief at Richmond Police Department | Not present |
| 16. Dr. Cardenas Shackelford, Coordinator Student Intervention and Support, Antioch Unified School District | Not present |
| 17. Edith Fajardo, Alliance of Californians for Community Empowerment (ACE) Institute | Not present |

*Indicates replacement may be needed

**Resource Development Associates**

- Mikaela Rabinowitz
- Ardavan Davaran
- Jasmine Laroche
- Kelechi Ubozoh

**Public Attendees**

- Phil Arechow, GARE
- Donte Blue, CAO
- Doug Leich, Multi-Faith Action Coalition

## Decisions Made

- RDA will follow up with Dennisha, Christine, Tamisha, and Tom to discuss next steps for organizing community forum events.
- RDA will revisit discussion around working agreements document.
- Task force will vote to approve meeting minutes at the next meeting.
- RDA will revisit the discussion on identifying emerging practices to address racial disparities and diversion strategies for local law enforcement agencies.

## Meeting Notes

I.     Introductions
- RDA re-introduced the focus of the task force objectives and the project as a whole.
- RDA re-emphasized the roles and responsibilities of the task force as well as the project team and RDA.
- Mikaela—"There may be some different strategies that can be designed and implemented and there may be strategies that the board may have to take as a recommendations but just know that it is okay to have a wide array of strategies or recommendations within this project."
- Tamisha introduced herself.

II.    Approval of Meeting Minutes
- Meeting minutes were not approved due to quorum not being met.
- RDA explained that working agreements will be revisited at the next meeting since there was not a quorum.

III.   Public Comment
- There was no public comment at this moment.

IV.    Community Forum Discussion
- RDA reminded the task force that the task force members will engage the community into the discussion.
- RDA will help facilitate this piece but there will be a few task force members that are going to take the lead with organizing these meetings.
- Tom, Dennisha, Tamisha, and Christine are all willing to participate, and Debra is happy to host an event in the fall at the schools in Mt. Diablo.
- Debra would like to have some set of recommendations to present, so meeting in the fall would be best.
- Donte shared some feedback around organizing and facilitating the process for these community forums and being specific about what type of outreach and what the plan would entail.

V.     Presentation of Local Law Enforcement Data
- RDA reminded the task force that this meeting's objectives are to review local law enforcement data—how they enter the local system.
- RDA found research on emerging practices for local law enforcement, but nothing was found as far as proven best practices.

- RDA reminded the task force that we are in the assessment phase and moving forward RDA will work to develop an implementation plan.
- Ardavan introduced the data and discussed who RDA has spoken to and what data RDA was able to successfully receive.
- Kelechi—"I want to acknowledge that since some police departments are not collecting data on race and that could be a recommendation from you all."
- John—"Is it that they don't collect data at all on race or that they don't have it easily accessible at the moment?"
- Ardavan—"That is something I am working on to follow up on that. Race specific data is actually challenging to gather at least for the public at the moment and that could be something to think about as far as recommendations."
- Lara—"Can you talk more about the diversion program KIIs?"
- Ardavan—"Yes, we spoke with some police departments to understand their diversion strategies and they shared with us that they have a juvenile diversion program and discretion is involved. We can dig deeper if the task force is interested in understanding more about the diversion components. Pittsburg has a community court diversion program, but if the individual is unable to make payment then they are not diverted."
- Robin—"The community court is a for profit program so there is a lot of controversy around that."
- Mikaela—"The purpose of the update is that there is some data that we will need to gather qualitatively by having conversations. So we will need to do a deep dive after we get more insight from you all."
- Ardavan—"As we talk through the diversion strategies, it is important to know that the emerging practices that we present are not best practices. They are just what are in place and it would be good for the task force to look at these practices with a critical eye so you all can think of what would be the best way to address these things in Contra Costa."
- Lara—"You have listed a few police departments, but not all of them. Will you all talk to all police departments?"
- Mikaela—"That is a good segway conversation. We want to just have a look at a few cities to get a sense for what is going on before we dig deep."
- Kelechi— "We identified these police departments that the task force identified and also pulled in some data from other police departments that stood out to us."
- Ardavan introduced the Contra Costa County data.
- Ardavan walked us through how to interpret and understand the data for both adults and youth.
- Ardavan—"We will have you all walk through and look over the data across cities."
- Robin—"Can you explain where you got this data and how crime offenses are defined?"
- Ardavan—"The office of attorney general. They defined the offense type, but for those that were not defined we used our discretion on what could be considered a violent offense. We can send offline the crime type broken down if you all would like to see that."
- Robin—"The data that they use comes from police departments?"
- Ardavan—"Yes, from our understanding it comes from law enforcement agencies."
- Mikaela—"This is mandated reporting data."

- Harlan—"I'm not very good at reading these. There is 9% of blacks in the county. Is there a breakdown by age and race?"
- Ardavan—"We don't have that here."
- Donte—"This represents arrests, correct?"
- Ardavan—"This is data reported by arrests and not individuals so one person can be arrested 20 times, but we won't see that here."
- Mikaela—"There is no such thing as perfect data. The more important thing is to look at the patterns that we see. Where do we see high numbers of people being arrested? High disparities based upon race/ethnicity? How are disparities different across cities? When we see those patterns then we can better understand what kinds of interventions we can take."
- Kelechi—"Our plan was to break you out in groups, but I want to make sure that how things are organized makes sense for you all. We want you all to look at the cities and see the trends."
- Public Comment
  - "It is important to look at family dynamics and looking at the law that affected willful defiance--that could be affecting your data."
- Mikaela—"A critical recommendation is to present the data in a way that is understandable for the public. I think that is the question is to understand what data is available and what isn't available."
- Kelechi—"We are working on gathering more up to date data as move forward."

VI. Work Session
- RDA broke the group out into working groups.
- Magda—"There are maybe things happening before the arrest that we may need to look at."
- Dennisha—"How can we make it more formal so that all police departments follow the same guidelines? How can we respond to a crime or offense the same way across cities?"
- Debra—"I think that black kids are being watched more often and are getting caught more often."
- Magda—"School advocates for kids that don't have their parents around may help."
- Dennisha—"How do you guide or track things?"
- Report out from the groups on what trends they noticed:
  - Dennisha—"We recognized that even though the race distribution is different across cities, the arrest rate is the same. The only thing we could think of is setting up a list of guidelines or rules that all police departments could follow to help level the playing field, but the one issue with that is how do you track that?"
  - Harlan—"Was that a focus on juveniles or adults?"
  - Dennisha—"Both, if we had the same rules and guidelines at each department no one could differ on how they respond to an arrest."
  - Tom—"We didn't get as far as recommendations, but we looked at the data and what stood out and we saw that the black arrest rates were higher for each group. El Cerrito, Pleasant Hill, and Martinez stood out the most. We don't know who is being arrested there. Are they residents? Also, with the smaller communities that have lower numbers can skew the data. The last thing that we

got was to maybe look at the larger cities with less disparities that don't have a glaring disparity, but you are able to get at more at the county level. Concord has more balance. "

- o Tamisha—"The thing that was hard for me was understanding if these are duplicate arrests. It was hard to say what's going on."
- o Public comment
    - ▪ Lara—Pittsburgh and Richmond are more diverse and the other cities that don't have as much racial distribution had a substantially higher rate of arrest for blacks.
    - ▪ Donte—"The volume has the ability to mask things. Rates help us to see things more clearly. Drugs may be an opportunity for a real diversion in comparison to a violent crime."

VII.     Presentation of Local Law Enforcement Diversion Practices, Emerging Practices
- • RDA transitioned discussion to emerging practices to discuss in the small break out groups.
- • Kelechi—"Think about some recommendations that the task force can make to the agencies."
- • Todd—"Information sharing on what we found and best practices to all of these agencies may be best. The question though is are these practices working? It's also important to see a reduction in racial disparities and crime rates."
- • Ardavan—"Please continue to think about what type of recommendations the task force members can make to the agencies and how. What are practices that can be taken to attempt to address these issues?"
- • RDA stated that the task force will revisit the discussion around potential emerging practices that the task force could consider as a recommendation for local law enforcement agencies.

# RACIAL JUSTICE TASK FORCE

Resource Development Associates

August 2, 2017

**2** Introductions

# Big Picture/Little Picture

RDA

# Project Activities and Timeline

| | 2017 | | | | | | | | | 2018 | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J |
| Project Launch and Convening | ■ | | | | | | | | | | | | | | |
| Review System Process Flows and Data | | ■ | ■ | | | | | | | | | | | | |
| Focus on Local Law Enforcement | | | | ■ | ■ | ■ | | | | | | | | | |
| Focus on County Juvenile Justice System | | | | | | | ■ | ■ | ■ | | | | | | |
| Focus on County Criminal Justice System | | | | | | | | | | ■ | ■ | ■ | | | |
| Finalize Recommendations | | | | | | | | | | | | | ■ | ■ | |
| Community Forums | | | | | | | ■ | | | | | | ■ | | |
| Present Recommendations to Board | | | | | | | | | | | | | | | ■ |

Monthly RJTF Project Meetings, Presentations to Key Stakeholders

RDA

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# Today we'll discuss:

- **<u>Today:</u> Local Law Enforcement**
  - What are the patterns across the County?
  - What are Promising and Emerging Practices?
  - What are the current practices in the County?

- **<u>Next Month:</u> Preliminary Recommendations**

**6** Meeting Minutes

**7** Public Comment

RDA

# 8 | Task Force-Community Forum Planning

**9** Local Law Enforcement: What are the Patterns Across the County?

- Trends Across All Age Groups
- Adult Trends
- Juvenile Trends
- Connecting Data to County Diversion Practices

RDA

**10** Trends Across All Age Groups

RDA

# Across cities in Contra Costa County, Blacks are more likely to be arrested than any other racial/ethnic group.



Contra Costa County – Adult Arrests

Contra Costa County – Juvenile Arrests

- Black
- Hispanic
- Other
- White
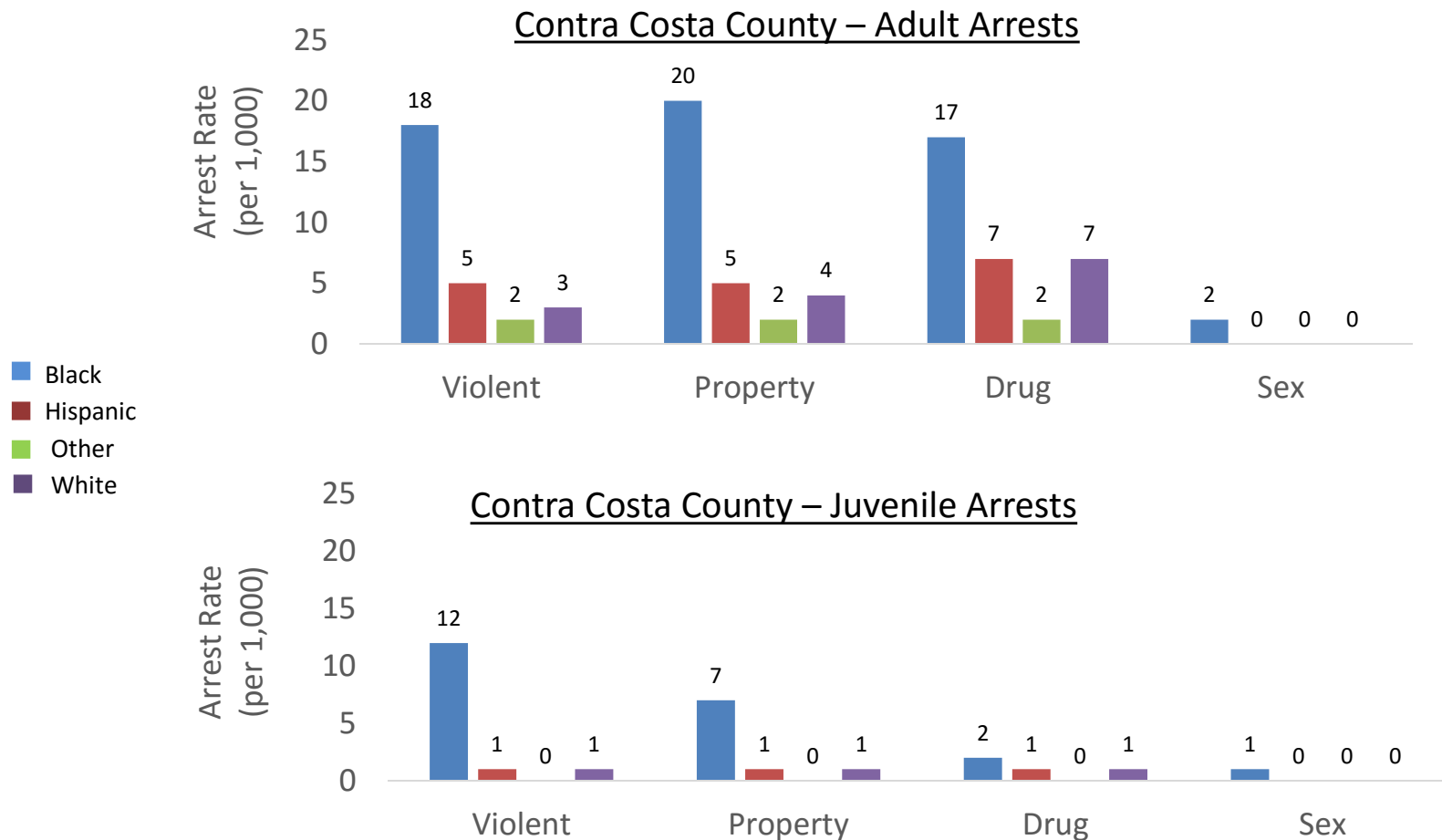
# Racial disparities in arrests are often greater in cities with smaller Black populations.

**City of El Cerrito**

**Population:**
**24,136**

**Black: 6%**
**Hispanic: 12%**
**Other: 31%**
**White: 51%**

### El Cerrito – Adult Arrests

Arrest Rate (per 1,000)

Felony: Black 80, Hispanic 14, Other 3, White 6

Misdemeanor: Black 177, Hispanic 40, Other 8, White 16

- ■ Black
- ■ Hispanic
- ■ Other
- ■ White
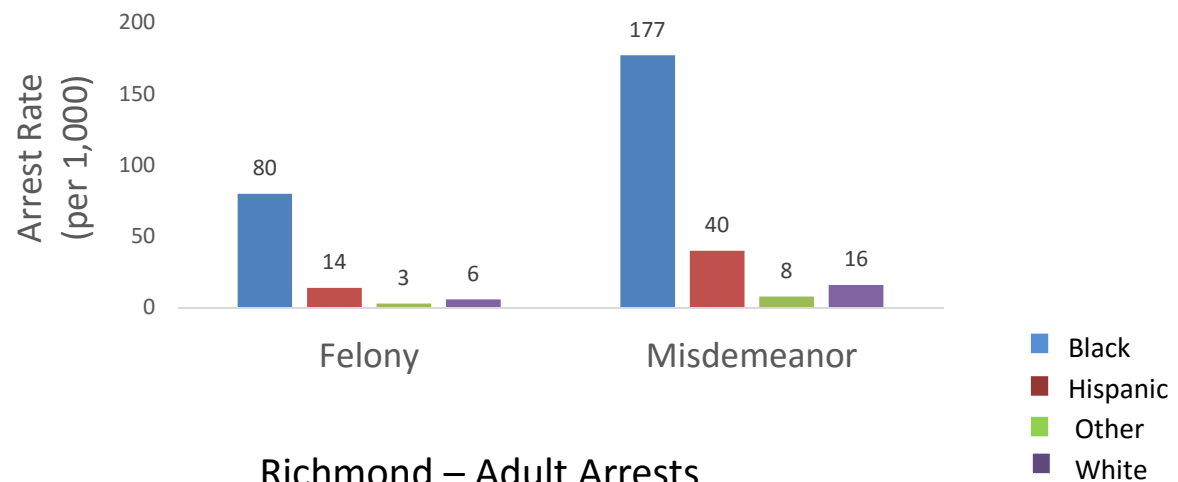
**City of Richmond**

**Population:**
**106,469**

**Black: 23%**
**Hispanic: 41%**
**Other: 19%**
**White: 17%**

### Richmond – Adult Arrests

Arrest Rate (per 1,000)

Felony: Black 37, Hispanic 11, Other 2, White 8

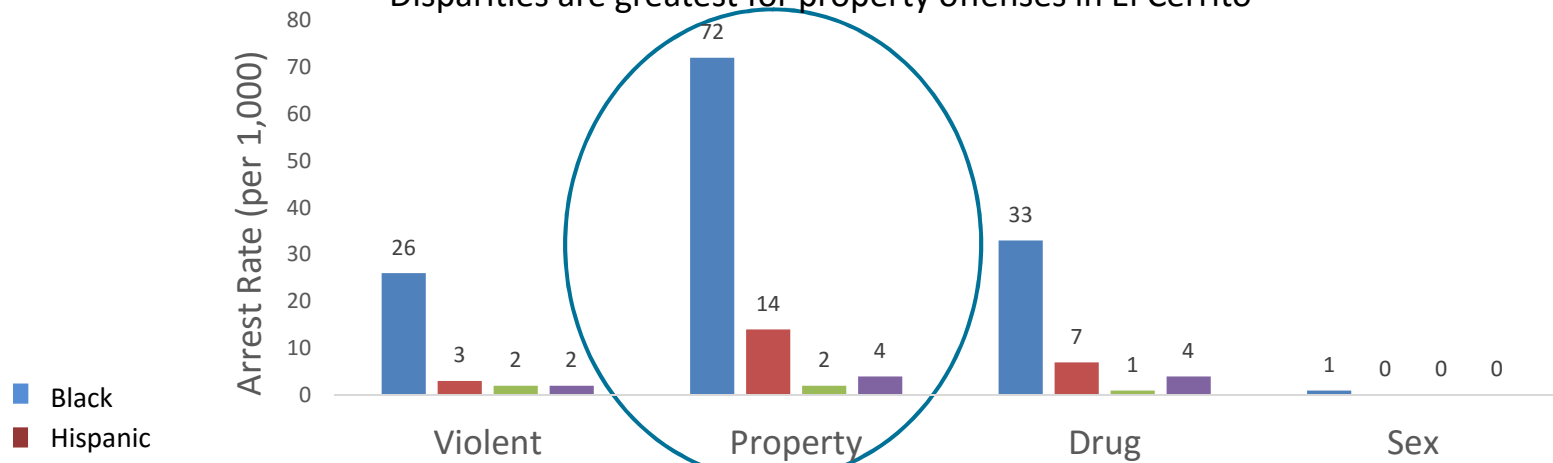Misdemeanor: Black 20, Hispanic 10, Other 3, White 5

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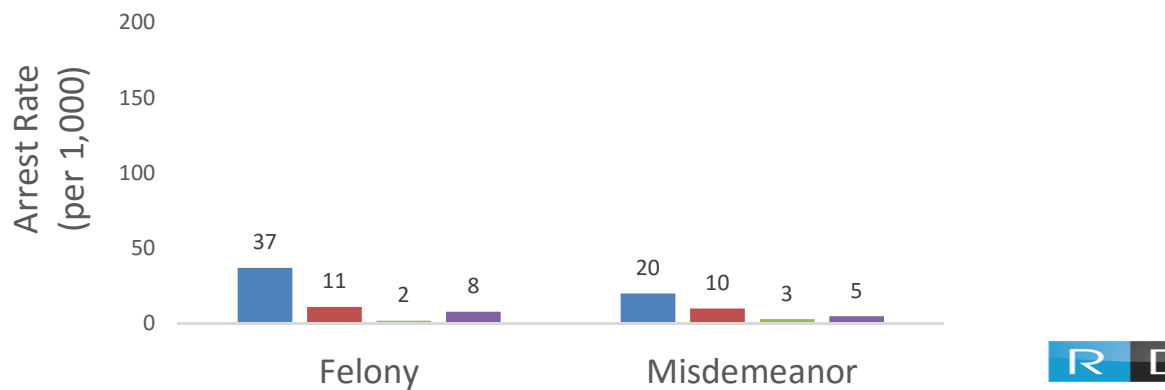
# 13 Adult Trends

# While Black adults are more likely to be arrested than White adults, there are variations across cities for what offenses disparities are greatest.
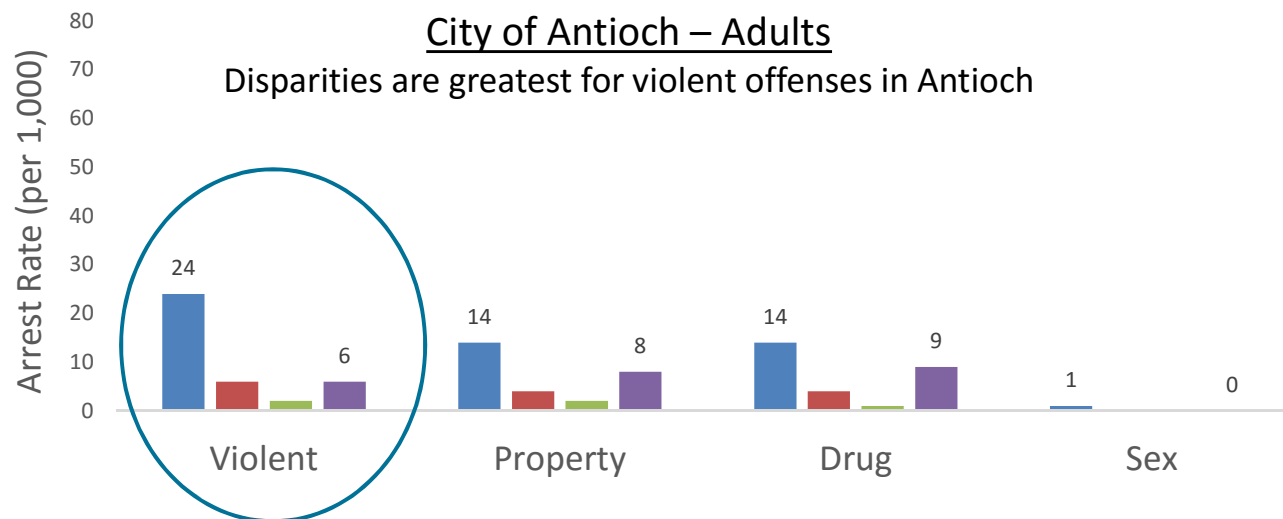
City of El Cerrito – Adults
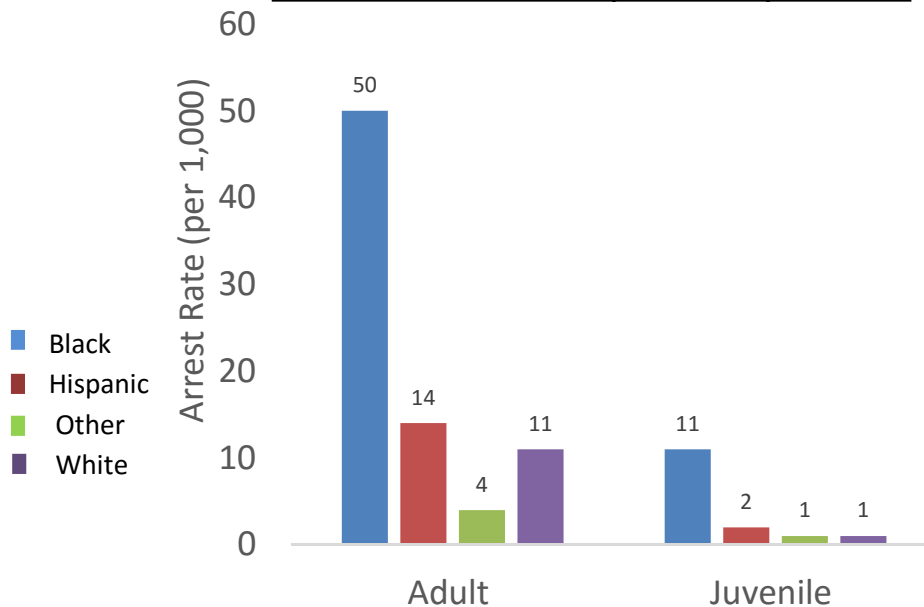Disparities are greatest for property offenses in El Cerrito

City of Antioch – Adults
Disparities are greatest for violent offenses in Antioch

## Across most cities in Contra Costa County, Black youth are more likely to be arrested than White or Latino youth. Disparities for Black youth are greater than disparities for Black adults.
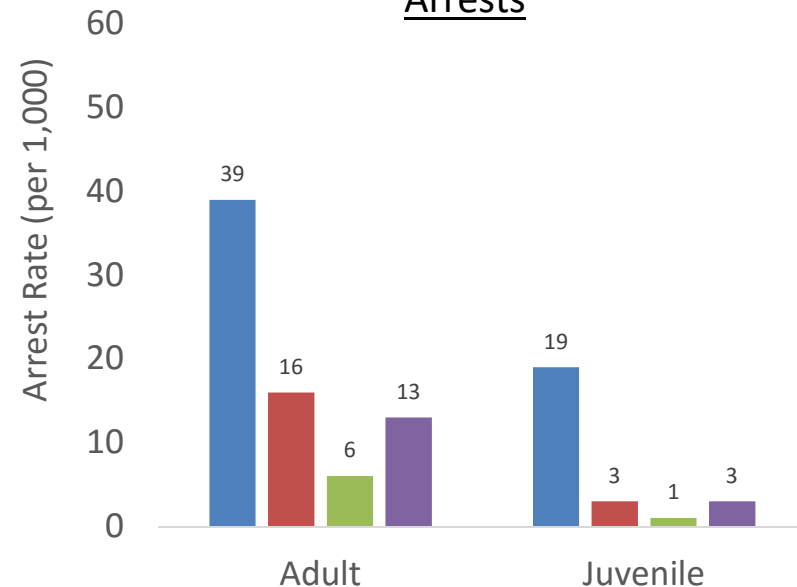
### Contra Costa County – Felony Arrests

Arrest Rate (per 1,000)

Adult: Black 50, Hispanic 14, Other 4, White 11
Juvenile: Black 11, Hispanic 2, Other 1, White 1

Legend: Black, Hispanic, Other, White

**Compared to Whites, Black adults are approximately 5 times more likely to be arrested for a felony while Black youth are 11 times more likely to be arrested.**

### Contra Costa County – Misdemeanor Arrests

Arrest Rate (per 1,000)

Adult: Black 39, Hispanic 16, Other 6, White 13
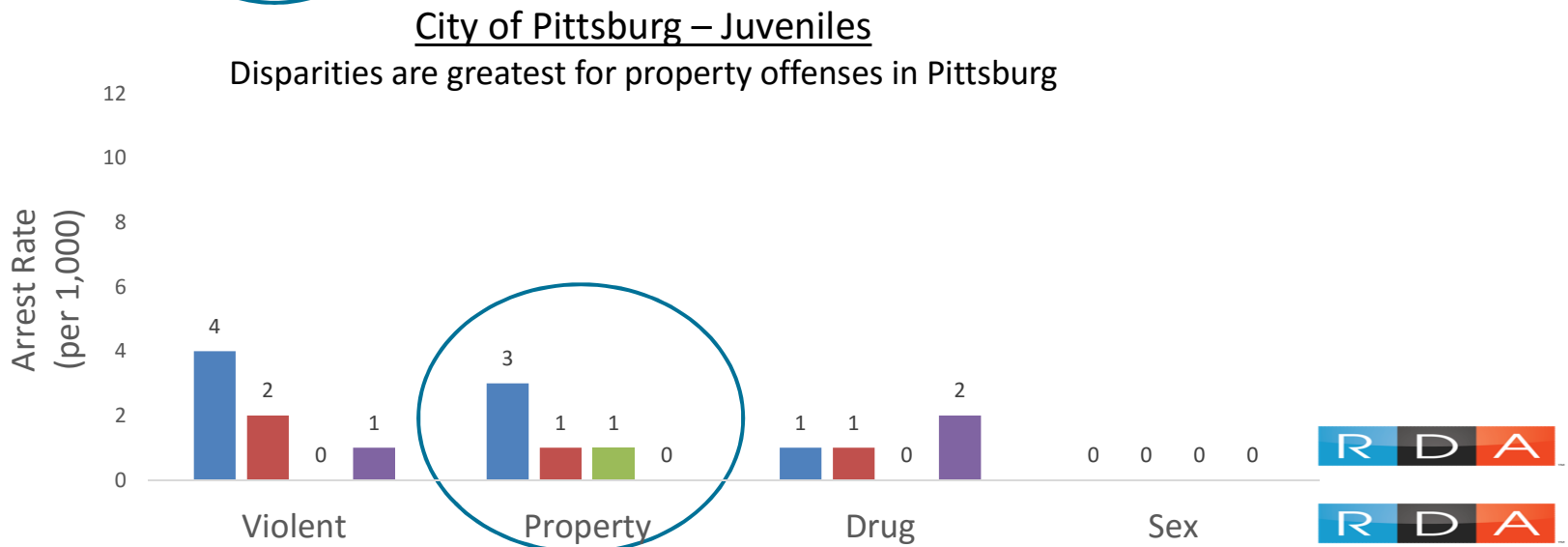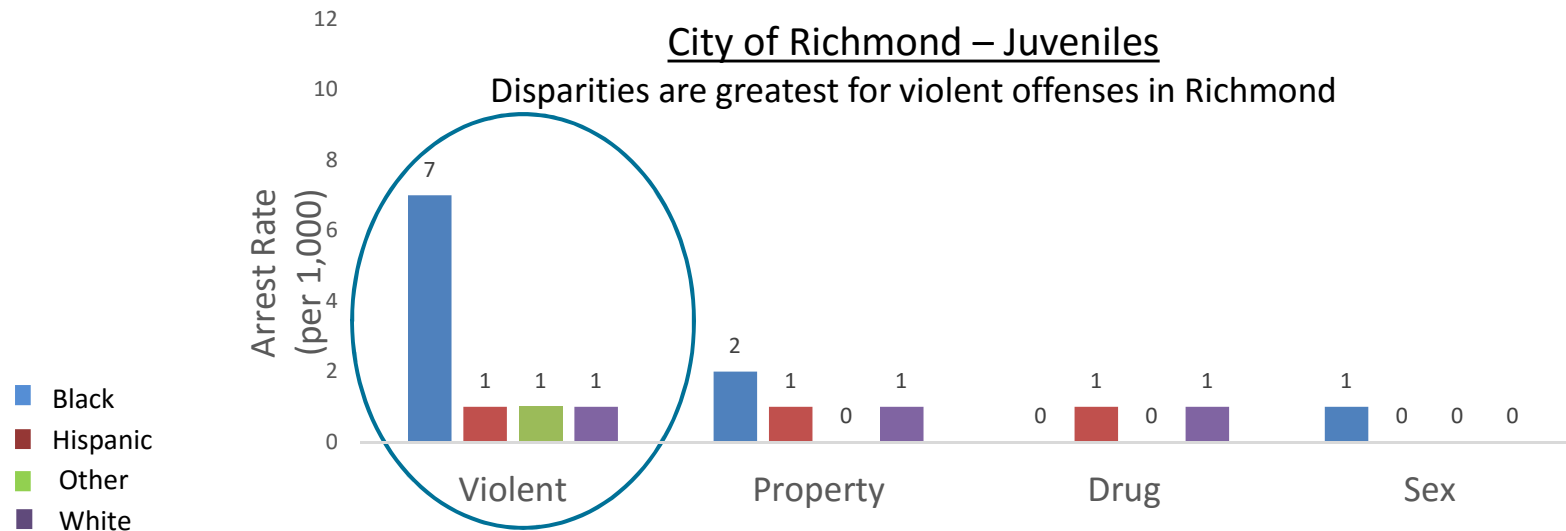Juvenile: Black 19, Hispanic 3, Other 1, White 3

**Compared to Whites, Black adults are 3 times more likely to be arrested for a misdemeanor while Black youth are approximately 6 times more likely to be arrested.**

RDA
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# Juvenile Trends

**While Black youth are more likely to be arrested than White youth, there are variations across cities for what offenses disparities are greatest.**

### City of Richmond – Juveniles
Disparities are greatest for violent offenses in Richmond



Legend:
- Black
- Hispanic
- Other
- White

Arrest Rate (per 1,000)

| | Violent | Property | Drug | Sex |
|---|---|---|---|---|
| Black | 7 | 2 | 0 | 1 |
| Hispanic | 1 | 1 | 1 | 0 |
| Other | 1 | 0 | 0 | 0 |
| White | 1 | 1 | 1 | 0 |

### City of Pittsburg – Juveniles
Disparities are greatest for property offenses in Pittsburg



Arrest Rate (per 1,000)

| | Violent | Property | Drug | Sex |
|---|---|---|---|---|
| Black | 4 | 3 | 1 | 0 |
| Hispanic | 2 | 1 | 1 | 0 |
| Other | 0 | 1 | 0 | 0 |
| White | 1 | 0 | 2 | 0 |

**18** Connecting Data to County Diversion Practices

**Although LEAs have implemented diversion practices, there is no systematic data collection on these programs, who is diverted, or their impact.**

- Richmond PD partners with RYSE to divert youth from official processing.

- Antioch PD partners with Reach to divert youth from official processing.

- Pittsburg and Concord PD have implemented the community court model to divert some adult and juvenile cases from formal processing.

None of these law enforcement agencies collect race-specific data on diversion practices

**20** What are the factors that contribute to the findings?

# Factors that Contribute to Racial Disparities

## Policing practices

- Enforcement decisions: what offenses, what areas
- Bias: implicit and explicit
- Diversion: availability and use of alternatives

## Citizen practices

- Calls for service
- Incident reporting

## Criminal activity

- Illegal activity
- Location of illegal activity

## Public policy

- Statutes: criminal law & policy
- Funding decisions: funding for diversion, crisis intervention, services

# What are Promising and Emerging Practices?

- Transparency and Accountability

- Procedural Justice

- Diversion

- Community Team Response to Crisis Situations

- Non-enforcement Interactions

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# Transparency and Accountability

- Establishing a culture of transparency and accountability contributes to building trust and legitimacy.

- Research and practice has shown that people are more likely to obey the law when they believe that those enforcing it have legitimate authority.

# Transparency and Accountability

□ **Example transparency and accountability practices:**

  ◘ Making Department policies available for public review.

  ◘ Regularly posting on department website information about stops, summonses, arrests, reported crime, and other law enforcement data disaggregated by race, age, gender, and location.

# Procedural Justice

- Focuses on the way police officers and other legal authorities interaction with the public
  - How individuals regard the justice system is tied more to the perceived fairness of the *process* and how they were treated rather than to the perceived fairness of the *outcome*.
- There are our tenets of Procedural Justice:
  - 1) Voice - Ensuring each individuals story is heard
  - 2) Neutrality - Being neutral and transparent in decision making
  - 3) Respect- Treating each individual with dignity and respect
  - 4) Trust - Conveying trustworthy motives

# Internal and External Aspects of Procedural Justice

| Internal Aspects | External Aspects |
|---|---|
| ☐ Officers who feel respected by supervisors and peers are more likely to follow department policies, understand decisions, and comply with them voluntarily.<br><br>    ◼ These officers are more likely to practice external aspects of procedural justice. | ☐ The ways officers and other legal authorities interact with the public shape the public's trust of the police.<br><br>    ◼ This is built on understanding, acknowledging, and addressing implicit and explicit biases. |

RDA

# Procedural Justice

- **Example procedural justice practices:**
  - Requiring police officers to seek consent (ideally written consent) before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause.
  - Requiring police officers to carry business cards containing their name, rank, command and contact information.

# Diversion

- Avoiding formal processing for low-level or first time illegal activity
  - <u>Pre-arrest diversion</u>: instead of arresting someone, a police officer refers him/her to community-based services to address issues associated with illegal activity. No formal arrest is made.
  - <u>Post-arrest diversion</u>: after reviewing an arrest report, a law enforcement agency refers him/her to community-based services to address issues associated with illegal activity. An arrest is made but no charges are filed.

# Diversion

□ Successful diversion programs depend on long term involvement, commitment, and support from many key stakeholders including:

- Probation
- Courts
- District attorneys' offices
- Public defenders' offices
- Schools and public education agencies
- Children and youth agencies

- Mental health agencies
- Substance use agencies
- Managed care organizations
- Child advocates
- Victim advocates
- Community-based partners

Data should be collected to track who is being diverted for what offenses, and to evaluate outcomes and the effectiveness of diversion policies and practices.

# Community Team Response to Crisis Situations

- A form of community policing that engages law enforcement, health care providers, and other community based stakeholders to respond to a crisis situation.

- The primary purpose of the collaborative effort is to de-escalate the situation and provide targeted support.

# Community Team Response to Crisis Situations

□ **Example Community Team Response Practices:**

- Partner and train community based stakeholders to support police during a crisis to prevent escalation.
  - Ministers Against Crime (MAC) give ministers, after a 12-week training in police academy, the opportunity serve as an ally to the police during a crisis to prevent escalation and provide support to victims where a minister is requested or needed.

- Implement Crisis Intervention Team (CIT) program
  - A model for community policing that brings together law enforcement, mental health providers, and other stakeholders to improve responses to people in crisis.

# Non-Enforcement Interactions

- Creating opportunities to interact with community members in a non-enforcement context helps to reduce bias.

- Personal interactions between police officers and community members can build mutual trust, which is essential to addressing neighborhood problems and reducing crime.

# Non-enforcement Interactions

- **Example Non-enforcement Interactions Practices:**
  - Police activities leagues
  - On-going community forums that engage police and community members

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# What are the current practices in the County?

RDA

# Local Law Enforcement Agency Practices

- Diversion Strategies:
    - RYSE (Richmond PD)
    - REACH (Antioch PD)
    - Community Courts* (Pittsburg PD and Concord PD)
- Trainings for PDs:
    - Procedural Justice (El Cerrito PD)
- Data Collection:
    - Publically available data on policing activities (Brentwood PD)
- Internal Monitoring Systems:
    - Office of Professional Accountability (Richmond PD)
- Community Engagement:
    - Police Activities League
    - Youth Resource Program (San Ramon PD)

# County-Level Practices

- Crisis Intervention Teams
  - Partnership between County BHS, Concord, Richmond, and Pittsburg PDs
- CoCo Lead Plus
  - New initiative with County Behavioral Health Services, Probation, Housing Authority, Health Housing, Homeless Services, Antioch Police Department, and CBOs to divert adults with mental illness or substance use disorders from incarceration.
- Office of Reentry and Justice
- Ceasefire Initiative